

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2155

IN THE MATTER OF:

Served October 23, 1980

EXECUTIVE LIMOUSINE SERVICE, INC.,)
Investigation to Determine Status)
of Special Certificate No. 1)
Operations)

Case No. MP-80-18

By the terms of Commission Regulation Nos. 70-05 and 70-09(iv), a carrier holding authority to operate pursuant to Special Certificate of Public Convenience and Necessity No. 1 must file written notice with the Commission within five days of cancellation of the contract underlying such authority. The existence of the authority itself is limited to the performance of service pursuant to a bilateral contract between the parties involved. Thus, cancellation of the underlying contract, perforce, terminates the grant of authority. The language in Special Certificate No. 1 contains the following:

The authority granted herein terminates automatically, with respect to any contract or contract extension or renewal filed pursuant to Commission Regulation No. 70, when said contract, renewal or extension expires without being extended or renewed in accordance with Regulation No. 70-05 or when the contract, renewal or extension is otherwise cancelled or terminated.

Executive Limousine Service, Inc., holds authority from this Commission, pursuant to Special Certificate No. 1, to provide transportation for Air France aircraft crews, between Dulles International Airport and points in the District of Columbia and Prince George's County, Md. 1/ The contract supporting that authorization was executed in 1975.

By contract executed June 8, 1979, Airport Limo, Inc., and Air France entered into an agreement providing for the transportation of aircraft crews between Dulles International Airport and hotels in the District of Columbia and between Dulles International Airport and Washington National Airport (over a route traversing the District of Columbia.) 2/ Furthermore, by application filed September 30, 1980, in

1/ Authorization No. SP-18-02.

2/ Authorization No. SP-26-07.

Case No. CP-80-05, Call-A-Messenger, Inc., seeks authority to conduct charter operations for Air France flight personnel. 3/ That application names Airport Limo as the carrier presently providing service for Air France.

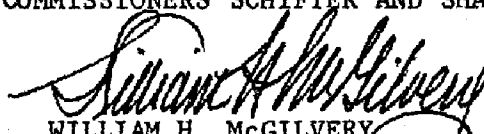
Apparently, Executive Limousine no longer provides service for Air France, yet the carrier has not given the Commission appropriate notice of the cancellation. The Commission will institute an investigation pursuant to Title II, Section 13(b) of the Compact to determine the status of the contract entered into in 1975 between Executive and Air France as well as a number of other contracts entered into in 1975 by Executive and other airlines concerning the transportation of airlines employees. Section 13(b) of Title II of the Compact provides that "[t]he Commission may investigate any facts, conditions, practices, or matters which it may find necessary or proper in order to determine whether any person has violated or is about to violate any provision of this Act or any rule, regulation, or order thereunder, or to aid in the enforcement of the provisions of this Act. . . ."

Executive will be directed to provide evidence of existing operations for Air France, Aeroflot-Soviet Airlines, British Airways, Delta Air Lines, Trans World Airlines and Ground Services, Inc., through the use of invoices or other business records.

THEREFORE, IT IS ORDERED:

1. That an investigation of the matters set forth above is hereby instituted.
2. That Executive Limousine Service, Inc., is hereby made a party respondent to this proceeding.
3. That Executive Limousine Service, Inc., is directed, within 30 days from the date of service hereof, to show cause why Special Certificate No. 1 authorizations to serve the above-named airlines should not be revoked, by presenting invoices or other business records showing service provided for each of the airlines during the 60-day period immediately preceding issuance of this order.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS SCHIFTER AND SHANNON:


WILLIAM H. MCGILVERY
Executive Director

3/ See Order No. 2148, served October 3, 1980.